

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 5381 of 2004

Between:

Vemula Sridhar S/o.Shekhar, R/o.H.No.10-6-1121 Girmajipet, Warangal.

... PETITIONER

AND

- 1 The Superintendent of Police, Warangal
- 2 Deputy Superintendent of Police(Town) Warangal at Hanamkonda
- 3 S.I of Police, Intezerganj Police Station, Warangal.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction more particularly one in the nature of writ of Mandamus by declaring the action of the respondents in opening the rowdy sheet against the petitioner is illegal, arbitrary and violative of Article 14, Article 19(1) (e) and Article 21 of the Constitution of India.

Counsel for the Petitioner: MR.A.RAVINDER

Counsel for the Respondents: GP FOR HOME

The Court made the following order:

ORDER:

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Petitioner questions the action of the respondents in opening a Rowdy Sheet against him for mere pendency of a single case in

Cr.No. 68 of 2003 for the offence under Sections 376 and 506 IPC.

The rowdy sheet was opened against the petitioner on 08.12.2003 on the file of the SHO, Inthezarganj, Warangal. Even the said single case in Cr.No.68 of 2003 ended in acquittal as Sessions Case No.519 of 2003 by judgment dated 14.12.2004 on file of the Principal Assistant Session Judge, Warangal on committal by I Additional Judicial First Class Magistrate, Warangal in P.R.C.No.43 of 2003.

Therefore, I am of the opinion that opening a rowdy sheet against the petitioner is illegal and unsustainable.

Accordingly, the writ petition is allowed directing the respondent to close the rowdy sheet opened against the petitioner forthwith. No costs.

V. ESWARAIAH, J

April 12, 2005

Dsk

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Bilal Nazki, the Acting Chief Justice on this
Tuesday the Twelfth Day of April Two Thousand and Five.

To

- 1 The Superintendent of Police, Warangal
- 2 Deputy Superintendent of Police (Town) Warangal at Hanamkonda
- 3 S.I of Police, Intezerganj Police Station, Warangal.
- 4 Two CCs to GP For Home, High Court Buildings, Hyderabad (OUT)

Two CD Copies.